

88-26

BILL NO. \_\_\_\_\_

AS AMENDED

**COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND**

BILL NO. 88-26 (AS AMENDED)

Introduced by \_\_\_\_\_ Council President Hardwicke at the request  
of the County Executive

Legislative Day No. 88-14 Date May 10, 1988

AN EMERGENCY ACT to renumber Section 267-104, heading, Periodic Review Required, of Article XXI, heading, General Provisions, of Part 6, heading, Comprehensive Zoning Review, to be Subsection A of Section 267-13, and to repeal and re-enact Section 267-13, heading, Comprehensive Zoning Review, of Article II, heading, Administration and Enforcement, of Chapter 267, heading, Zoning, of the Harford County Code; to provide for the authority and procedures for the preparation and review of zoning maps and regulations relating thereto on a comprehensive, countywide basis; to ~~suspend Subsection A and B of Section 267-12 for a period during the comprehensive rezoning review and for one (1) year thereafter~~ and to suspend the operation of Section 267-12, Zoning Reclassifications, of Article II, Administration and Enforcement, of Part 1, Standards, of Chapter 267, Zoning, of the Harford County Code, as amended, for a period of one year from the effective date of this Act.

By the Council, May 10, 1988

Introduced, read first time, ordered posted and public hearing scheduled

on: June 7, 1988

at: 6:45 P.M.

By Order: Doris Poulsen, Secretary

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on June 7, 1988

and concluded on June 7, 1988

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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AS AMENDED

1 WHEREAS, pursuant to Section 703 of the Charter and the laws  
2 of Maryland, the Harford County Council is charged with the  
3 responsibility to enact the laws establishing zoning regulations  
4 and comprehensive zoning maps; and

5 WHEREAS, pursuant to Section 405 (b) of the Charter, the  
6 Director of Planning is charged with the duty of planning for the  
7 physical development and growth of the County, including the  
8 preparation and revision of master plans, subdivision regulations,  
9 and zoning maps and rules and regulations constituting a zoning  
10 code; and

11 WHEREAS, pursuant to Section 406 of the Harford County  
12 Charter, the Planning Advisory Board is charged with the  
13 responsibility for making recommendations to the Director of  
14 Planning and the Council relating to planning and zoning; and

15 WHEREAS, the Zoning Ordinance should provide for the  
16 preparation, public review and adoption of received comprehensive  
17 zoning maps and regulations; and

18 WHEREAS, this act is designed to establish a comprehensive  
19 zoning review process providing for procedures and requirements in  
20 conducting this process and so amending Section 267-13, heading,  
21 Comprehensive Zoning Review.

22 NOW, THEREFORE,  
23 Section 1. Be It Enacted By the County Council of Harford County,  
24 Maryland, that Section 267-104, heading, Periodic Review Required,  
25 of Article XXI, heading, General Provisions, of Part 6, heading,  
26 Comprehensive Zoning Review, be renumbered to be ~~Section 267-13A~~,  
27 Subsection A of Section 267-13, that Section 267-13, heading,  
28 Comprehensive Zoning Review, of Article II, heading, Adminis-  
29 tration and Enforcement, of Chapter 267, heading, Zoning, of the  
30 Harford County Code, as amended, be, and it is hereby repealed and  
31 reenacted with amendments all to read as follows:  
32

1 Chapter 267. Zoning

2 Article II. Administration and Enforcement

3 [Section 267-104]

4 Section 267-13. Comprehensive Zoning Review.

5 A. Periodic Review Required.

6 (1) Commencing with the first legislative session in  
7 September 1987 and every eight (8) years thereafter, the Director  
8 of Planning shall submit to the County Council a written report  
9 and recommendations to initiate a comprehensive zoning for all or  
10 part of the county.

11 (2) The provisions of this section shall not preclude  
12 any Council member from introducing a resolution requesting a  
13 review of the current zoning of the county or the Director of  
14 Planning from instituting a request to review and recommend  
15 comprehensive zoning of the county during the interim period set  
16 forth in this section.

17 B. Preparation.

18 (1) The Director of Planning shall [from time to time]  
19 prepare revisions to the zoning maps and regulations in a  
20 comprehensive manner for consideration and adoption by the  
21 Council. Such comprehensive zoning review may be initiated by  
22 order of the County Executive or by legislative act of the  
23 Council. Proposed revisions or amendments to the zoning maps and  
24 regulations shall be [prepared after careful review and study by  
25 the Department of Planning and Zoning of existing land use and  
26 future land use needs based on population, economics, transporta-  
27 tion patterns, public facilities and services and other relevant  
28 planning factors] ~~CONSISTENT~~ COMPATIBLE WITH ALL ELEMENTS OF THE  
29 MASTER PLAN AS ADOPTED BY THE COUNCIL.

30 (2) The Director of Planning shall prepare proposed  
31 revisions and amendments for approval by the County Council to the  
32 zoning maps and regulations and submit the same to the Planning

1 Advisory Board for its review and comment. A comprehensive zoning  
2 map for a substantial part of the county may be considered and  
3 adopted by the County Council.

4 C. APPLICATION. AN APPLICATION BY A PROPERTY OWNER  
5 REQUESTING A ZONING CHANGE DURING COMPREHENSIVE ZONING REVIEW FOR  
6 ANY PROPERTY SHALL BE SUBMITTED AN OWNER OF PROPERTY MAY REQUEST  
7 A ZONING CHANGE FOR THE PROPERTY DURING COMPREHENSIVE ZONING  
8 REVIEW BY APPLYING TO THE DEPARTMENT OF PLANNING AND ZONING AT A  
9 TIME AND IN A FORM TO BE DESIGNATED BY THE DIRECTOR OF PLANNING.  
10 EACH APPLICATION SHALL BE CONSIDERED BY THE DIRECTOR OF PLANNING  
11 IN THE COMPREHENSIVE ZONING REVIEW PROCESS.

12 D. COUNCIL ACTION.

13 (1) AFTER REVIEW BY THE PLANNING ADVISORY BOARD, THE  
14 COUNTY EXECUTIVE SHALL SUBMIT TO THE COUNCIL THE COMPREHENSIVE  
15 REVISIONS AND AMENDMENTS TO THE ZONING MAPS AND REGULATIONS  
16 CONTAINED IN THE FINAL REPORT OF THE DIRECTOR OF PLANNING. THE  
17 COUNCIL SHALL CONDUCT A PUBLIC HEARING GIVING PUBLIC NOTICE, WHICH  
18 SHALL BE PUBLISHED ONCE A WEEK FOR TWO CONSECUTIVE WEEKS IN AT  
19 LEAST TWO NEWSPAPERS OF GENERAL CIRCULATION IN THE COUNTY. DURING  
20 THE PERIOD OF COUNCIL REVIEW, THE FINAL REPORT OF THE DIRECTOR OF  
21 PLANNING, CONTAINING THE PROVISIONS AND AMENDMENTS TO THE ZONING  
22 MAPS AND REGULATIONS, TOGETHER WITH THE COMMENTS OF THE PLANNING  
23 ADVISORY BOARD, SHALL BE ON PUBLIC DISPLAY IN THE COUNTY OFFICE  
24 BUILDING AND IN A PUBLIC FACILITY LOCATED IN EACH COUNCILMANIC  
25 DISTRICT.

26 (2) ANY ALTERATIONS OR CHANGES TO THE REPORT OF THE  
27 DIRECTOR OF PLANNING SHALL BE VOTED UPON BY THE COUNCIL AS  
28 INDIVIDUAL ISSUES. EACH VOTE AND THE REASONS THEREFORE SHALL BE  
29 RECORDED.

1 (3) UPON COMPLETION OF THE PUBLIC HEARINGS, THE COUNCIL  
2 SHALL, BY ORDINANCE, ADOPT COMPREHENSIVE ZONING MAPS AND  
3 REGULATIONS FOR THE COUNTY WITHIN SIXTY (60) DAYS AFTER RECEIPT OF  
4 THE FINAL REPORT OF THE DIRECTOR OF PLANNING. THE COUNCIL MAY, BY  
5 RESOLUTION, EXTEND THE PERIOD FOR REVIEW BY SIXTY (60) DAYS.

6 E. SUSPENSION OF ZONING RECLASSIFICATION.

7 (1) NOTWITHSTANDING ANY PROVISIONS OF THIS CODE, DURING  
8 THE PERIOD OF PREPARATION AND REVIEW OF PROPOSED COMPREHENSIVE  
9 REVISIONS OR AMENDMENTS TO THE ZONING MAPS, NO APPLICATIONS FOR  
10 ZONING RECLASSIFICATION SHALL BE ACCEPTED BY THE COUNTY, EXCEPT AS  
11 PROVIDED IN SUBSECTION C, AND SUCH A REQUEST SHALL BE CONSIDERED  
12 IN THE PREPARATION OR MODIFICATION OF THE PROPOSED COMPREHENSIVE  
13 REVISIONS OR AMENDMENTS TO THE ZONING MAPS.

14 (2) THE HEARING EXAMINER SHALL COMPLETE PUBLIC HEARINGS  
15 AND ISSUE A DECISION FOR ALL EXISTING ZONING RECLASSIFICATION  
16 APPLICATIONS WITHIN SIXTY (60) DAYS OF THE EFFECTIVE DATE OF THIS  
17 ORDINANCE. ~~IN THE EVENT THE HEARING EXAMINER IS UNABLE TO COMPLETE~~  
18 ~~ANY EXISTING CASE~~ AS SOON AS PRACTICABLE. THE DIRECTOR OF PLANNING  
19 AND ZONING SHALL ALSO REVIEW THE REQUEST OF THE APPLICANT IN SUCH  
20 CASE AS A PART OF ITS COMPREHENSIVE ZONING REVIEW PROCESS AS IF  
21 THE APPLICATION HAD BEEN FILED PURSUANT TO SUBSECTION C.

22 (3) NO ZONING RECLASSIFICATION OF PROPERTY SHALL, FOR A  
23 PERIOD OF ONE YEAR AFTER THE ADOPTION BY ORDINANCE BILL OF THE  
24 COMPREHENSIVE ZONING MAPS APPLICABLE THEREOF, BE GRANTED BY THE  
25 COUNTY ~~COUNCIL~~ COUNCIL, SITTING AS THE BOARD OF APPEALS, ON THE  
26 GROUND THAT THE CHARACTER OF THE NEIGHBORHOOD HAS CHANGED.

27 ~~Section 2.~~ And Be It Further Enacted, that in accordance with  
28 ~~Subsection E, Rezoning for 1988, be, and is hereby suspended from~~  
29 ~~operation, and that no applications will be accepted for a period~~  
30 ~~of one (1) year, except as provided in Subsection C, from the~~  
31 ~~effective-date-of-this-ordinance.~~

AS AMENDED

1 Section 2. And Be It Further Enacted, that except as provided in  
2 Subsections C and E of Section 267-13 of the Harford County Code,  
3 as enacted by Section 1 of this Act, the provisions of Section  
4 267-12 of the Harford County Code are suspended from operation for  
5 a period of one year from the effective date of this Act.

6 Section 3. And Be It Further Enacted, that this act is hereby  
7 declared to be an Emergency Act, necessary for the orderly growth  
8 of the County, and it shall take effect on the date it becomes  
9 law.

10 EFFECTIVE: June 16, 1988

AS AMENDED

88-26

BY THE COUNCIL

AS AMENDED

BILL NO. 88-26 (As Amended)

Read the third time.

Passed LS 88-19, June 14, 1988 (With Amendments)

Failed of Passage \_\_\_\_\_

By Order

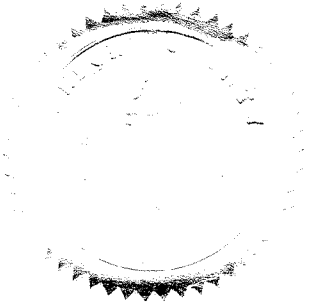
Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive  
for his approval this 15th day of June, 198  
at 3:00 o'clock P.M.

Doris Poulsen, Secretary

BY THE EXECUTIVE

APPROVED:



[Signature]  
County Executive

Date 6-16-88

BY THE COUNCIL

This Bill, (No. 88-26, As Amended), having been approved by  
the Executive and returned to the Council, becomes law on June 16,  
1988.

Doris Poulsen, Secretary

EFFECTIVE DATE: June 16, 1988

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